

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Drawings.

The Applicant notes the requirement to submit corrected drawings in response to this Office Action. Accordingly, six (6) sheets of substitute formal drawings containing the correction approved by the Examiner are enclosed.

2. Information Disclosure Statement.

The Applicant notes that the Examiner has indicated that the Internet addresses provided in the IDS filed on December 5, 2001 are no longer valid, but the associated documents have been considered since they were filed. The Applicant also notes that the Examiner has requested updated Internet addresses if known; however, the Applicant has been unable to locate the cited documents on the Internet.

The Applicant notes that the website www.philrice.net is now www.philrice.gov, and that the TropRice website can be found at www.knowledgebank.irri.org/troprice/TropRice.htm#Introduction to TropRice.htm.

3. Objection to Claim 9.

The Examiner objected to Claim 9 for the reason that the base claim recited green color panels but Claim 9 recited that the color panels were based on yellow reflectance characteristics. In response, the Applicant has amended Claim 9 by deleting the term "yellow". The claim now refers specifically to the (b+) reflectance characteristics.

4. Allowance of Claims 12-28.

The Applicant notes with appreciation the Examiner's allowance of Claims 12-28. Claim 14 has been amended to recite "(b+)" spectral reflectance characteristics rather than "yellow (b+)" spectral reflectance characteristics for clarification in view of the Examiner's objection to the phraseology in Claim 9.

5. Allowability of Claims 7, 8, 11 and 31.

The Applicant notes with appreciation the Examiner's indication that Claims 7, 8, 11 and 31 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In response, the Applicant has amended Claims 7, 11 and 31 so that they are written in independent form. Accordingly, those claims and the claims that depend therefrom are now allowable. Dependent Claim 33 has been amended to recite "(b+)" rather than "yellow (b+)" spectral reflectance characteristics for the reasons that Claims 9 and 14 were amended. The Applicant has also amended the dependency of various claims so that they depend from the allowable independent claims.

6. Conclusion.

Claims 1-2 and 29-30 have been canceled. Claims 3-28 and 31-34 are currently pending and are allowable for the reasons stated above. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

//

//

//

The Applicant also respectfully requests a telephone interview with the Examiner in the event that there are questions regarding this response, or if the next action on the merits is not an allowance of all pending claims.

Date: 7/11/2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John P. O'Banion".

John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010